

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Jonatan AGUILAR-Garza

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 6, 2018 in the county of Jim Hogg in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 18 United States Code,
 Section 922(g)(5)

Offense Description

As an alien, unlawfully in the United States, did knowingly, willfully and unlawfully possess, in and affecting interstate commerce, a Remington 1911 R1 (S/N: RH02733A), 32 rounds of .45 caliber ammunition and three magazines.

This criminal complaint is based on these facts:

Please see attachment

☒ Continued on the attached sheet./s/ Amy Rodriguez*Complainant's signature*Amy Rodriguez, Special Agent*Printed name and title*

Sworn to before me and signed in my presence.

Date: 05/07/2018*Judge's signature*City and state: Laredo, TexasDiana Song Quiroga, US Magistrate Judge*Printed name and title*

I am a Special Agent (SA) of the United States with Homeland Security Investigations (HSI) and am knowledgeable of the following facts:

1. On May 6, 2018, Border Patrol Agents (BPA) with Customs and Border Protection (CBP), Office of Border Patrol (OBP), encountered Jonatan AGUILAR-Garza, a citizen of Mexico.
2. AGUILAR-Garza was parked at a closed car wash with the hazard lights on, when approached by BPAs. BPAs were in the area working a case of a group of undocumented persons and AGUILAR-Garza's actions were suspicious. When BPAs questioned AGUILAR-Garza, AGUILAR-Garza developed an attitude and stated he knew his rights and BPAs could not ask him about his status in the United States. AGUILAR-Garza eventually presented an Employment Authorization Card to BPAs and stated he was in the United States under the Deferred Action for Childhood Arrivals (DACA) program.
3. BPAs asked AGUILAR-Garza if there were any weapons in the vehicle and asked AGUILAR-Garza if he would give consent for BPAs to search the vehicle. AGUILAR-Garza stated there was a weapon in the center console of the vehicle. BPAs discovered a Remington 1911 R1 .45 caliber pistol (S/N: RH02733A) in the folded front center seat console. The weapon was fully loaded with one round in the chamber. A total of three magazines and 32 rounds of .45 caliber ammunition were found. AGUILAR-Garza was transported to the Border Patrol station for further questioning.
4. A Homeland Security Investigations (HSI) Special Agent and an Alcohol, Tobacco and Firearms (ATF) Taskforce Officer (TFO) advised AGUILAR-Garza of his Miranda Rights which he waived and agreed to speak with the SA and TFO. AGUILAR-Garza stated the weapon was his and it was given to him as a gift for his 21st birthday. AGUILAR-Garza knew he could not purchase weapons but did not know it was illegal to possess the weapon. AGUILAR-Garza stated it probably said it in the paperwork he signed but he does not remember. AGUILAR-Garza stated he has been part of the DACA program since 2010.